



MINUTES
SEPTEMBER 17, 2008

[illegible]

Mark Kornhaas, Artel Engineering, said this is a 22.6 acre parcel that straddles the Danbury-Ridgefield line. He said it is located past the Reserve property opposite of Turner Rd. There is an existing building there that was previously used by Micronosis. It has a manmade pool with an aerator in it. They intend to make this reflecting pond a focal point of the architectural design of the site. Presently it is completely occupied by Bidel for their administrative offices. This project will be done in phases with the first phase being a new 34,000 sq.ft. R & D building with a new parking lot that will include handicapped spaces. The site presently is very limited

with regard to handicapped accessibility, so they will be bringing it up to code. They will be staging the use of the parking as the work proceeds by using the existing on-site parking also. They also are planning a 1,550 sq.ft. addition to the existing building for a break room. There will be a central core elevator that will allow access to both buildings from any level. They will reorganize the parking during phase 2, which consists of a 35,636 sq.ft. manufacturing building with some office space. For the work proposed in phase 1, they need 137 parking spaces and they have 145. They will need an additional 30 spaces for phase 2, so when that is complete, they will have a total of 192. Mr. Kornhaas said the reason they are here is because the new break room and new building will increase the number of trips generated. He then said that phase 2 will generate an additional 211 trips per day. This site is located within a phase 2 watershed and their application is currently being reviewed by the EIC.

Mr. Keller asked if the town of Ridgefield needs to approve these plans also since the access to the site is through Ridgefield. Mr. Kornhaas said the Ridgefield Wetlands Commission has reviewed this and sent their comments to Danbury already. He said they also have sent the plans to the Ridgefield Planning Director and expect comments back from her very shortly. The sewer and water area available through Turner Rd. and they are coordinating with Ann's Place to access it. Most of Turner Rd. is in Danbury and we have a sewage pumping station down there. He then distributed some copies of the architectural renderings of the site. Mrs. Emminger said these are already on file so they would not need to be designated as an exhibit. Mr. Kornhaas said the proposed landscaping is far more than what is required, because they want to continue the corporate park theme. Ms. Hoffstaetter asked how these changes will impact the water. Mr. Kornhaas said there is a tremendous amount of water available because of the proximity to the Reserve. He said the building will be sprinklered, so the only possible shortfall would be pressure, but that can be addressed with a booster pump. Mr. Keller asked about wastewater discharge. Mr. Kornhaas said it is recorded and they have to maintain a permit for it through Public Utilities. There was a brief discussion about drainage, but no new information was added.

Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one.

Mr. Urice asked that Mr. Kornhaas verify in advance that Mr. Galante will be present at the next meeting. Mr. Keller made a motion to continue the public hearing. Mr. Manuel seconded the motion.

[illegible]

CONTINUATION OF PUBLIC HEARINGS:

Venancio Realty LLC – Application for Special Exception to allow Garden Apartments (“Lauren Square”) in the C-CBD Zone, 55 State St. (#114424) – SE #674. Public hearing opened 8/6/08. First 35 days were up 9/8/08 – 35 day extension granted to 10/9/08.

Mike Mazzucco PE, said they have until the first meeting in October to close this. He said he has responded to the comments received so far. Mrs. Emminger said before this application was submitted they met and decided to forgo adding another unit and instead provide some visitor parking, so each unit has two spaces and there are three additional spaces for visitors. Mr. Mazzucco said that it was requested that they alter the front appearance of the building that

Chairman Finaldi asked if there was anyone to speak in opposition to this application.

Brian Lund, 20 Cushing Dr. said he is more or less satisfied with tree line provisions. He added that he still is very concerned about the drainage. He expressed concern over the snow storage issue, because there is an existing gully and this plan will reduce the space available for this purpose. He added that he is not totally convinced that the riprap will work because he has seen it get washed away in other places.

Mrs. Emminger said she has kept the Lunds' informed about this issue; the paved leakoff is a defect of the original subdivision which was approved in the 1970's, when they didn't require catch basins. She said she has discussed this with the Engineering Dept. and this is how it was designed. Unfortunately the Lunds' bear the brunt of it, but there is no way to fix it. This proposal will increase the runoff and the best the City can offer is to request the applicant install additional riprap to control the runoff. She said they can't pipe it anywhere because there is no catch basin to catch it. The Engineering Dept. has determined that the drainage system designed for this proposal will handle whatever this site will generate. There was a discussion of some of the newer products available that might be better than riprap. Mr. Keller asked if they could ask the City Engineer to comment on these products. Mrs. Emminger said she does not believe that it is the applicant's responsibility to fix something that they are not causing. She added that whatever they decide to do could be defined in the decision resolution. She added that they should be careful about requiring something that goes beyond the scope of the Subdivision Regulations.

Mr. Keller made a motion to close the hearing with the stipulation that whatever information is received from the Engineering Dept. regarding the riprap issue still can be discussed. Mr. Urice seconded the motion and it was passed unanimously.

[illegible]

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

Sugar Hollow Road Assoc. LLC – “The Shops at Marcus Dairy”, 3 Sugar Hollow Rd. (#G17002 & #G17019) – SE #663. Public hearing closed 8/6/08 – 65 days will be up 10/9/08.

Sugar Hollow Road Assoc. LLC – Application for Floodplain Permit – “The Shops at Marcus Dairy”, 3 Sugar Hollow Rd. (#G17002 & #G17019) – SE #663.

Mr. Keller made a motion to move these items to number 1 & 2 instead of 1 & 4 so they can discuss them together. Mr. Urice seconded the motion and it was passed unanimously.

Mrs. Emminger said she has been working on this for about fourteen months to try to resolve the floodplain issues. The City had hired an outside consultant to work on this and this consultant had signed off on it in March of this year. She said the signoff would allow for the flooding of the parking lot by three-to-four feet with equal compensation. She said neither the Planning nor the Engineering Dept. was satisfied with this, so we had asked the applicant's engineer to design something that would allow the flooding but not to exceed one foot in depth. She referred to a map that Artel had prepared designating the areas that would flood at this rate. Some areas would have greater amount of flooding but on a very limited basis. She said now the Commission can approve these applications without endangering the safety of the

Mrs. Emminger said she had sent them a resolution but it has some typos in it, so she wanted to correct them now. She reminded them that they had approved the Special Exception in July of this year. She said this has the standard conditions regarding the requirements prior to the issuance of the Certificate of Compliance. Mr. Manuel made a motion to approve this per the revised resolution. Mr. Keller seconded the motion and it was passed unanimously.

[illegible]

82 Mill Plain Rd Realty LLC – Application for Special Exception/Revised Site Plan to allow HVAC Contractor’s Office & Associated Warehouse in the CA-80 Zone – 82 Mill Plain Rd. (#D15016) – SE #671.

Mrs. Emminger pointed out one small correction to original resolution where it says change of use and it should say addition. Mr. Manuel made a motion to approve this per the revised resolution. Mr. Keller seconded the motion and it was passed unanimously.

[illegible]

NEW BUSINESS:

Antonio Ramos & Antonio Narciso – Application for Special Exception to allow Metal Finishing (“A & A Ironworks”) in the IL-40 Zone, 2 Broad St. (#K12270) – SE #678. *Public hearing scheduled for October 15, 2008.*

Antonio Ramos & Antonio Narciso – Application for Floodplain Permit – “A & A Ironworks”, 2 Broad St. (#K12270) – SE #678.

Joseph, Angelo & Victor Desimone – Application for Floodplain Permit – “Danbury Ambulance”,
14 Walnut St. (#I11054) – SP #81-14.

8-3a Referral – Petition of B & L Holdings LLC, 2 Glen Hill Rd, 33, 35, 37 & 39 Tamarack Ave. a/k/a Rd. (#I10045, #I10044, #I10046, #I10047 & #I10048) for Change of Zone from RA-20 & RMF-6 to CG-20. *Zoning Commission public hearing scheduled for October 14, 2008.*

80 Mill Plain, LLC – Application for Special Exception to permit Retail/Warehouse generating more than 500 trips per day – 80 Mill Plain Rd (#D14003) – SE #652. Previous application was withdrawn in February 2007 – Public hearing date to be determined.

Mrs. Emminger said there were some items missing when the 80 Mill Plain Rd. application came in, but it is now complete so the public hearing has been scheduled for 11/19/08. Chairman Finaldi said these applications would be on file in the Planning Office.

[illegible]

REFERRALS:

Chairman Finaldi noted that the zone change petition for 8 Durant St. has been withdrawn.

8-3a Referral – Petition of Attorney Neil Marcus as Agent to Amend Sec. 5.A.2.a. of the Zoning Regulations. (Add "Granite, Marble & Tile Sales establishment including shaping of stones and similar processes" as a permitted use in the CG-20 Zone) *Zoning Commission public hearing scheduled for October 14, 2008.*

At 9:40 PM, Mr. Keller made a motion to adjourn. Mr. Manuel seconded the motion and they passed unanimously.